

WATSON LEAVENWORTH KELTON & TAGGART
100 PARK AVENUE
NEW YORK 10017

LESLIE D. TAGGART
ELMER R. HELFERICH
NORMAN N. SCHÜTTLER
JOHN T. KELTON
NICHOLAS JOHN STATHIS
WILLIAM H. VOGT III
HERBERT BLECKER
HOWARD K. KOTHE
ALBERT ROBIN
THOMAS V. HEYMAN
ROBERT E. KOSINSKI
STEVAN J. BOSSES
GEORGE J. BRANDT, JR.

LEONARD A. WATSON (1930-1960)
ELLIS W. LEAVENWORTH (1930-1959)

(AREA CODE 212)
683-4220

CABLE ADDRESS "WATSOLAW"

INTERNATIONAL TELEX
620866

June 29, 1973

JAMES J. DALEY
FRANK J. COLUCCI
GEORGE W. MACDONALD JR.
JAMES W. BADIE
ROBERT J. EICHELBERG
ROBERT M. FREEMAN
MAXIM H. WALDBAUM
PAUL E. O'DONNELL, JR.
PHILIP M. FRENCH
PETER G. DILWORTH

Gowling & Henderson
Box 466, Station A
Ottawa, Canada K1N 8S3

Re: Canadian Appln. 115,429
Philip Morris Incorporated
Our File 582-703 Canada

Dear Sirs:

We have received your letter of January 8, 1973 reporting issuance of an Official Action to us in the above-identified application. Please prepare and file response to the Official Action in accordance with our instructions given below and in no event later than the due date of July 5, 1973. Further, please telephone to confirm that you have received these instructions and will file response by the due date.

As a first matter please note that the corresponding United States case which has not been involved in any interference has been patented as U.S. patent 3,703,177. A photoprint copy of the first page of the U.S. patent specification as well as a copy of the patented claims is enclosed.

Please submit the U.S. patented claims in place of those presently on file.

In respect of the art cited in the Canadian application, we offer the following observations.

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Gowling & Henderson

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The use of sugar-beet pulp in preparation of a smoking product according to the present application is not merely a substitution of this material for bagasse as employed in U.S. patent 2,576,021. The method of this patent would not give a good, coherent sheet from beet pulp; the special processing described in the application is required. The product from beet pulp is much superior to what may be made from bagasse. Also, the present process would not produce a coherent sheet from bagasse, which lacks the necessary contents of pectins and hemicellulose. The two starting materials are in no way interchangeable, and thus this U.S. patent does not suggest the present invention.

The methods described in Canadian patent 817,684 are not satisfactory for beet pulp conversion to smoking product because beet pectins are quite different from tobacco pectins and the alginic acids contemplated by this patent; a cook with diammonium phosphate as disclosed therein for tobacco conversion would not suffice for beet pulp to give a coherent sheet. Neither would the acid wash at room temperature disclosed in Canadian patent 806,968 remove the calcium and release the beet pectins as it does for tobacco pectins. Beet pulp requires the special treatment described in the present application to release the pectins to subsequently form a coherent sheet useful in equipment used for processing tobacco leaf or sheet.

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If you need any additional information please advise.

Very truly yours,

George J. Brandt, Jr.

GJB:hc
Enc.

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